

REMARKS

Upon entry of the present Amendment, no claims will be amended. Claims 2-5, 7, 8 and 11-25 will remain pending in the application. For the reasons set forth below, Applicant believes that the rejections should be withdrawn and that claims 2-5, 7, 8 and 11-25 are in condition for allowance in view of the following remarks.

Rejections under 35 U.S.C. § 103(a)

I. Claims 3, 5, 7-8, 11, 16-21 and 23-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zereski, Jr. et al. (U.S. Patent No. 5,654,886) in view of Deshpande (U.S. Patent Publication No. 2005/0071886). Regarding claim 16, the Examiner asserted Zereski, Jr. et al. discloses a method for creating a video program substantially as recited in claim 16, but admitted that Zereski, Jr. et al. fail to specifically disclose receiving a recently recorded live video featuring a speaker. Regarding this deficiency, the Examiner asserted that Johnson et al. discloses receiving a recently recorded live video featuring a speaker (see col. 1, lines 25-36), and that it would have been obvious to modify Zereski, Jr. et al.'s invention with the above mentioned limitation as taught by Johnson et al.

The Examiner applied Deshpande by asserting that Deshpande is in an analogous art and teaches, "in response to receiving the request, creating a script based on the request and the selected condition that defines the types of information to be included in the video program, and in accordance with the script (see paragraphs 0027, 0045, 0063, 0078-0083, Fig. 6, i.e., a requested video is being created on the fly)." Office Action at p. 4. Applicant respectfully traverses.

Applicant respectfully submits that none of Zereski, Jr. et al., Johnson et al. and Deshpande teach or suggest at least the feature of a system that "creates a new video segment having new content based on selected data that corresponds to a selected condition," as recited in claim 16. Claim 16 recites that, "the request specifies a selected condition."

In particular, Zereski Jr. et al. teach that text and images are transmitted to the presentation generator at specified intervals. Zereski Jr. et al. teach that the presentation generator operates by the use of presentation templates, which are used as a description of a particular multimedia presentation that may be made available by the system. Zereski Jr. et al. provide examples of presentations in FIGS. 5-10, which are created by the presentation generator taking the required information obtained from the various sources and filling-in each template. The completed template is then rendered into a presentation, which may be available on Internet and other on-line services. See, Zereski Jr. et al. at col. 4, lines 44-67. However, the templates of Zereski Jr. et al. are not filled "in response to receiving the request," which as recited in claim 16, creates a script that defines information to be included in the video program.

Johnson et al. fail to remedy the deficiencies of Zereski Jr. et al., as Johnson et al. fail to teach or suggest "a script" that is created based on a request to and the selected condition that defines the types of information to be included in the video program.

Deshpande teaches a navigation script 118 that may be used to alter time intervals between video frames 124 that comprise a video 114. See, paragraphs [0040] and [0063]. The Examiner asserted that paragraphs [0078]-[0083] and Fig. 6 teach "a requested video is being created on the fly." See, Office Action at p. 4. However, the cited portions of Deshpande teach that "the request" displays the navigation strip 118. See, paragraph [0078]. From the request, "the video strip generator 516 generates 610 the instructions. ... The video stream server 512

then transmits 612 the instructions for displaying the navigation video strip 118 to the video player 510." See, paragraph [0079].

In paragraph [0081], Deshpande teaches that "requests sent from the video player 510 to the video stream server 512 may take the form of URL requests. For example, suppose that the user of the video player 510 inputs a request to decrease the time interval between adjacent video frames 124 by pressing a DOWN button on a remote control." However, nowhere does Deshpande teach requests that change the frames 124 (i.e., the content) that make up the video 114. Thus, Deshpande necessarily fails to teach creating a new video segment having new content based on selected data that corresponds to a selected condition, where the request specifies a selected condition, as recited in claim 16, as no request in Deshpande creates a new video segment having new content. The requests of Deshpande only alter timing.

Thus, no proper combination of Zereski Jr. et al., Johnson et al. and Deshpande would teach or suggest the subject matter of claim 16. Accordingly, Applicant respectfully submits that claim 16 is allowable over the prior art of record.

Claims 3, 5 and 17-18 depend from claim 16, which Applicant believes to be allowable over the prior art of record. In addition, claims 3, 5 and 17-18 recite additional features in combination with allowable claim 16, thus providing additional bases for the allowability thereof.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim 16 and the claims that depend therefrom (claims 3, 5 and 17-18).

Claim 19, recites "creating the requested video program by creating a script based on the request and the condition that defines the types of information to be include, and based on the script:"selecting a recently recorded live video segment and a recently recorded audio segment

associated with the recently recorded live video segment that is relevant to the request, wherein the recently recorded live video segment and the recently recorded audio segment both feature a selected speaker.” This limitation is similar to claim 16. As such, substantially the same arguments noted above also apply to claim 19. As such, no proper combination of Zereski Jr. et al., Johnson et al. and Deshpande teaches or suggests the subject matter of claim 19.

Accordingly, Applicant respectfully submits that claim 19 is allowable over the prior art of record.

Claims 7, 8 and 20-24 depend from claim 19, which Applicant believes to be allowable over the prior art of record. In addition, claims 7, 8 and 20-24 recite additional features in combination with allowable claim 19, thus providing additional bases for the allowability thereof.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim 19 and the claims that depend therefrom (claims 7, 8 and 20-24).

In view of the above differences, the Examiner is requested to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

II. Claims 12-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zereski, Jr. et al. in view of Johnson et al., Inoue et al. (U.S. Publication No. 2002/0016963) and Deshpande. Regarding claim 12, the Examiner asserted that Zereski, Jr. et al. teaches the claim substantially as recited, however the Examiner admitted that Zereski, Jr. et al. fails to teach “a plurality of decoders supporting a plurality of encoding schemes, wherein a first decoder receives a first video input and decodes the first video input; and a plurality of encoders for receiving the

video program and encoding the video program.” The Examiner asserted that Inoue et al. teach this recited element, and that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Zereski, Jr. et al.'s invention with the teaching of Inoue et al.

The Examiner asserted that Deshpande is in an analogous art, and that the reference teaches, "in response to receiving the request, creating a script based on the request and the selected condition that defines the types of information to be included in the video program, and in accordance with the script (see paragraphs 0027, 0045, 0063, 0078-0083, Fig. 6, i.e., a requested video is being created on the fly)." Applicant respectfully traverses.

In particular, claim 12 recites “a video server that executes a script created in response to receiving a request, the script defining sequencing of audio and video segments associated with the request.” As noted above with regard to the rejection of claim 16, Zereski, Jr. et al. and Johnson et al. fail to teach or suggest this limitation as there is no teaching or suggestion of "a script ... defining sequencing of audio and video segments associated with the request"

Inoue et al. fails to remedy the deficiencies of Zereski, Jr. et al., as Inoue et al. also fail to teach the above limitations of claim 12. Deshpande, discussed above, fails to teach a request that creates a script that defines types of information to be included in the video program. Deshpande teaches requests that alter timing, not content. Thus, any proper combination of Zereski, Jr. et al., Johnson et al., Inoue et al. and Deshpande fails to teach each and every element of claim 12.

With regard to claims 13-15, Applicant believes these claims are allowable over the prior art of records, as each depends from what is believed to be an allowable claim, and add other features and limitations in combination with their respective base claim(s).

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

III. Claims 2, 4 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zereski, Jr. et al. in view of Johnson et al., Deshpande and Inoue et al. Applicant respectfully traverses.

With regard to claims 2, 4 and 25, Applicant refers to the arguments above regarding the failure of the references to teach the subject matter of the base claims from which claims 2, 4 and 25 depend. Applicant believes that claims 2, 4 and 25 are allowable over the prior art of record, as each depends from what is believed to be an allowable claim, and add other features and limitations in combination with their respect base claim(s).

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

CONCLUSION

Applicant believes that the application should now be in condition for allowance, and the Applicant solicits a notice to that effect. If there are any issues that can be resolved via a telephone conference, the Examiner is asked to contact the undersigned at (770) 475-9129.

Respectfully submitted,

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